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10/840,135	05/06/2004	Jyh-Han Lin	7463-48 (CE11541JSW)	7253
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AKERMAN SENTERFITT			GREENE, SABRINA LETICIA	
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

**Application No.**

10/840,135

**Applicant(s)**

LIN, JYH-HAN

**Examiner**

Greene L. Sabrina

**Art Unit**

2173

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 06 May 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 May 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Claim Objections***

Page 5 of the specification the disclosure is objected to because it contains an embedded hyperlink and/or other form of browser-executable code. Applicant is required to delete the embedded hyperlink and/or other form of browser-executable code. See MPEP § 608.01.

The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required: The antecedent basis for terminology "machine readable storage" recited in claims 18-21 is not found in the specification.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

Claims 1-21 are rejected under 35 U.S.C. 102(a) as being anticipated by Motorola iDEN Digital Multi-Service Data-capable Phone "i730 Phone User's Guide" 2003, hereinafter Motorola.

#### **As per Claim 1:**

Motorola teaches a method of activating an application in a client/server environment, comprising the steps of:

Selectively highlighting the application among a plurality of applications on a user interface on a client device wirelessly linked to a server; (See page 17), where the phone is capable of making two types of calls, digital (walkie-talkie/ Push-to-Talk/PTT) and private (phone is used as a long-range).

Launching and activating the application and connecting to the server upon pushing a button on the client device; (See page 17), where once the user selects a number or enters a number the communication is activated by a push of a button.

**As per Claim 2:**

Motorola teaches the step of selectively highlighting comprises the step of scrolling through a phonebook menu of applications; (See page 19), where if a user has number stored in contact he/she can use the number to make calls. He/She simply scroll through the phonebook menu until a desired contact is reached.

**As per Claim 3:**

Motorola teaches the method further comprises the step of selectively highlighting a connectivity identifier among a plurality of connectivity identifiers; (See pages 17-19), where contacts are displayed to the user in phonebook menu and he/she can scroll and select a person to contact. The type of contact information is identified to the user.

**As per Claim 4:**

Motorola teaches the step of connecting to the server comprises the step of connecting to the server via a network associated with the connectivity identifier selectively highlighted; (See pages 20-24), where once a person is chosen to contact,

communication is made based off the contact number.

**As per Claim 5:**

Motorola teaches the step of launching and activating and connecting comprises the step of pushing a push-to-talk button on the client device; (See page 20), where a form of communication consist of the PTT function. Further see pages 75 and 76.

**As per Claim 6:**

Motorola teaches the method further comprises the step of receiving a response from the server in a form emulating a push-to-talk response; (See page 18), where the user can receive a digital call. The phone emits a vibration or sound to alert the user.

**As per Claim 7:**

Motorola teaches a communication device, comprising:

A transceiver communicatively coupled to at least one server; (See page 107), where the product contains a radio frequency transmitter to convey information one would wish to send as well as occasional automatic signals used to sustain connection the wireless network, and a receiver which enables one to receive communication and connection information from a network.

A user interface providing for a selection of at least one client/server application; (See page 1), where a user interface is displayed and the user interacts by pressing buttons.

An input device; (See page 1), where an input device is displayed.

A processor coupled to the transceiver, wherein the processor is programmed to launch and activate the at least one client/server application and connect to the at least

one server upon activating the input device; (See page 107), where the product contains a radio frequency transmitter to convey information one would wish to send as well as occasional automatic signals used to sustain connection the wireless network, and a receiver which enables one to receive communication and connection information from a network.

**As per Claim 8:**

Motorola teaches the user interface further provides a selection of connectivity options to the at least one server; (See page 1), where a user interface is displayed and the user interacts by pressing buttons. Further, the user selects contacts he/she wants to communicate with (See pages 17-20).

**As per Claim 9:**

Motorola teaches the selection of connectivity options comprises a selection among at least one internet protocol address, at least one dispatch call address, and at least one phone number; (See page 27), where the contacts stores numbers or address which is called "contact type" (i.e. mobile number, work number, email address, private ID).

**As per Claim 10:**

Motorola teaches the communication device is a JAVA enabled mobile handset; (See page 55), where the phone has Java applications installed and ready to run. One could also download and install more Java applications.

**As per Claim 11:**

Motorola teaches the at least one client/server application is a JAVA application;

(See page 55), where the phone has Java applications installed and ready to run. One could also download and install more Java applications.

**As per Claim 12:**

Motorola teaches the user interface comprises a JAVA phonebook-like menu containing the selection for the at least one client/server application; (See page 55), where the phone has Java applications installed and ready to run. One could also download and install more Java applications.

**As per Claim 13:**

Motorola teaches the communication device further comprises a display; (See page 1), where a user interface is displayed and the user interacts by pressing buttons.

**As per Claim 14:**

Motorola teaches the input device is a push-to-talk button; (See page 20), where a form of communication consist of the PTT function. Further see pages 75 and 76.

**As per Claim 15:**

Motorola teaches the communication device is selected among a group of devices comprising a dispatch two-way radio and a multi-modal phone having at least a dispatch mode; (See page 93), where the mobile device consists of "2-Way Radio Features".

**As per Claim 16:**

Motorola teaches a communication system in a client/server environment, comprising:

At least one server; and a communication device, comprising:

A transceiver communicatively coupled to the at least one server; (See page 107), where the product contains a radio frequency transmitter to convey information one would wish to send as well as occasional automatic signals used to sustain connection the wireless network, and a receiver which enables one to receive communication and connection information from a network.

A user interface providing for a selection of at least one client/server application; (See page 1), where a user interface is displayed and the user interacts by pressing buttons.

An input device; (See page 1), where an input device is displayed.

A processor coupled to the transceiver, wherein the processor is programmed to launch and activate the at least one client/server application and connect to the at least one server upon activating the input device; (See page 107), where the product contains a radio frequency transmitter to convey information one would wish to send as well as occasional automatic signals used to sustain connection the wireless network, and a receiver which enables one to receive communication and connection information from a network.

**As per Claim 17:**

Motorola teaches the at least one server is a mobile communication device; (See page 27), where the contacts stores numbers or address which is called "contact type" (i.e. mobile number, work number, email address, private ID). Since the contact information (type) consists of a mobile number a user can communicate with another mobile device.



**As per Claim 18:**

Motorola teaches machine readable storage, having stored thereon a computer program having a plurality of code sections executable by a machine for causing the machine to perform the steps of:

Enable a user to selectively highlight an application in a client/server environment among a plurality of applications on a user interface on a client device wirelessly linked to a server; (See pages 17-20), where the phone is capable of making two types of calls, digital (walkie-talkie/ Push-to-Talk/PTT) and private (phone is used as a long-range).

Launch and activate the application and connect to the server upon pushing a button on the client device; (See page 17), where once the user selects a number or enters a number the communication is activated by a push of a button.

**As per Claim 19:**

Motorola teaches the computer program further has a plurality of code sections executable by the machine for causing the machine to perform the step of enabling a user to selectively highlight a connectivity identifier among a plurality of connectivity identifiers; (See page 19), where if a user has number stored in contact he/she can use the number to make calls. He/She simply scroll through the phonebook menu until a desired contact is reached.

**As per Claim 20:**

Motorola teaches the computer program further has a plurality of code sections executable by the machine for causing the machine to perform the steps of launching,

activating, and connecting upon detecting a push of a push-to-talk button on the client device; (See page 20), where a form of communication consist of the PTT function.

Further see pages 75 and 76.

**As per Claim 21:**

Motorola teaches the computer program further has a plurality of code sections executable by the machine for causing the machine to perform the step of receiving a response from the server in a form emulating a push-to-talk response; (See page 18), where the user can receive a digital call. The phone emits a vibration or sound to alert the user.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sabrina L. Greene whose telephone number is 571-272-8629. The examiner can normally be reached on 8AM-5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on 571-272-4048. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SG

/Kieu D. Vu/  
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Primary Examiner